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Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOUGLAS F. CARLSON, MAYA
ZUBKOVSKAYA,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, MICHAEL BUSHNELL,
STEVEN DOMECHUS, WALLACE H.
KRESLEY, PAUL MCINTOSH, BRETT
MONTAGUE, MATTHEW PARRA,
DOES #1-10,

Defendants.

Case No. 21-2876

**NOTICE TO FEDERAL DISTRICT COURT
OF REMOVAL OF ACTION FROM STATE
SUPERIOR COURT
(PURSUANT TO 28 U.S.C. §§ 1441, 1446)**

Trial Date: Not Set.

TO THE CLERK OF COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that the CITY AND COUNTY OF SAN FRANCISCO (“Defendant”), named as a defendant in the above-captioned action in California Superior Court for San Francisco County (Action No. CGC-21-590135), hereby files in the United States District Court for the Northern District of California a Notice of Removal of said action to the United States District Court, pursuant to 28 U.S.C. §§ 1441 and 1446, and is filing a Notice of Removal in the Superior Court.

1 Defendant presents the following facts justifying removal pursuant to 28 U.S.C. §§ 1441 and
2 1446:

3 A civil action bearing the above-caption was commenced in California Superior Court for San
4 Francisco County on March 15, 2021 (Action No. CGC-21-590135) and is pending therein. The
5 Summons and Complaint was served on Defendant City and County of San Francisco on March 22,
6 2021.

7 This action may properly be removed pursuant to 28 U.S.C. § 1441 because Plaintiffs allege a
8 violation of laws of the United States. The Complaint in said pending action includes allegations
9 brought under 42 U.S.C. § 1983 that the Defendants violated the civil rights of Plaintiffs.

10 To the extent that Plaintiffs' complaint alleges a claim or cause of action other than violations
11 of rights under the laws of the United States, said cause(s) of action may be removed and adjudicated
12 by this Court pursuant to 28 U.S.C. §1441(c).

13 Pursuant to 28 U.S.C. §1446(b), a copy of the following documents are attached:

14 1. The Summons and Complaint are hereto attached as Exhibit A.

15 2. Defendant's Answer to Complaint, Jury Trial Demand and Objection to Judge Pro Tempore
16 are hereto attached as Exhibit B.

17 Venue in this district is proper under 28 U.S.C. § 1441 because this District includes the
18 California Superior Court for San Francisco County, the forum in which the removed action was
19 pending.

20 Defendant will promptly file a Notice of this Removal with the Clerk of the Superior Court for
21 San Francisco County and serve the Notice on all parties.

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1 WHEREFORE, Defendant prays that the above action now pending in California Superior
2 Court for San Francisco County be removed in its entirety to this Court for all further proceedings,
3 pursuant to 28 U.S.C. § 1441, *et. seq.*

4 Dated: April 21, 2021

5 DENNIS J. HERRERA
6 City Attorney
7 MEREDITH B. OSBORN
8 Chief Trial Deputy
9 RYAN STEVENS
10 Deputy City Attorney

11 By: /s/ Ryan Stevens
12 RYAN STEVENS

13 Attorneys for Defendant(s)
14 CITY AND COUNTY OF SAN FRANCISCO
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PROOF OF SERVICE

I, KASSY ADAMS, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building, 1390 Market Street, Sixth Floor, San Francisco, CA 94102.

On April 21, 2021, I served the following document(s):

**NOTICE TO FEDERAL DISTRICT COURT OF REMOVAL OF ACTION FROM STATE
SUPERIOR COURT
(PURSUANT TO 28 U.S.C. §§ 1441, 1446)**

on the following persons at the locations specified:

DOUGLAS F.CARLSON
MAYA ZUBKOVSKA
PO Box 191711
San Francisco CA 94119-1711
(415) 956-9567
doug.carlson@sbcglobal.net

Plaintiffs in Pro Se

in the manner indicated below:

☒ **BY ELECTRONIC MAIL:** I caused a copy of such document to be transmitted *via* electronic mail in portable document format ("PDF") Adobe Acrobat from the electronic address: kassy.adams@sfcityatty.org.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed April 21, 2021, at San Francisco, California.

/s/ Kassy Adams

KASSY ADAMS